

HARRIS COUNTY BOARD OF COMMISSIONERS

OCTOBER 4, 2016

Commission Chamber, Room 223, Harris County Courthouse

NO WORK SESSION

REGULAR SESSION

7:00 PM

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

MINUTES

1. Regular Session of September 20, 2016
Called Session of September 16, 2016

APPEARANCE OF CITIZENS

OLD BUSINESS

NEW BUSINESS

2. Financial Statement: July 2016

COUNTY MANAGER

COUNTY ATTORNEY

3. Resolution: Reallocation of SPLOST Funds from Fire Truck to Building Construction of Northwest Harris VFD Station

PUBLIC HEARINGS @ 7:30 PM

4. Explanation of Public Hearing Procedures
5. Conflict of Interest Forms
6. Application of Edgar Hughston Builder to rezone 100.3 acres of Land Lot 128, Land District 18, Map 084, Parcel 047B, from A-1 (Agricultural & Forestry) to R-1 (Single Family Residential) for residential lots; present use recreation; proposed use residential lots; property located on McKee Road, Ellerslie. (*Action is needed regarding the request to withdraw the application.*)

ADJOURNMENT

MINUTES

10/04/16

Minutes are not available to the public until they have been approved by the Board of Commissioners. Once approved, they will be posted on the website.

FINANCIAL STATEMENT: JULY 2016

10/04/16

The financial statement for JULY 2016 was provided for your review on September 20, 2016.

Motion and vote needed.

**RESOLUTION: REALLOCATION OF SPLOST FUNDS
FROM FIRE TRUCK TO BUILDING CONSTRUCTION OF
NORTHWEST HARRIS VFD STATION**

10/04/16

Byron Hawkins, NW Harris VFD Chief, came before the BOC during the September 20 meeting requesting the use of SPLOST funds for the construction of their new building rather than for a new fire truck, and John Taylor, County Attorney, was directed to draft a resolution for same.

The resolution follows, and Mr. Taylor will review and explain.

Motion and vote needed.

REZONING APPLICATION PUBLIC HEARING PROCEDURES

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1. **Call to Order.** The Public Hearing will be called to order by Chairman* for the purpose of considering each application for rezoning.
2. **Reading of Application.** The application will be read (including name of property owner, address of subject property, land district number(s) , land lot number(s), map number, parcel number, acreage to be rezoned, present and requested zoning, present and proposed use, and the recommendations of the Staff and the Planning Commission).
3. **Presentation by Applicant or his/her representative(s).** The applicant or his/her representative(s) will be recognized to present and explain the rezoning request. The Commissioners may ask questions of the individual during this time.
4. **Comments by Individuals in Favor of Application.** Individuals in favor of the rezoning application will be permitted to speak (upon recognition by the Chairman* after raising their hand), and each person is to provide their name.
5. **Comments by Individuals in Opposition to the Application.** Individuals in opposition to the rezoning application will be permitted to speak (upon recognition by the Chairman* after raising their hand), and each person is to provide their name.
6. **Summary, rebuttal and/or final comments by applicant or his/her representative(s).** Upon completion of comments by those in opposition of the application, the applicant or his/her representative(s) will be given the opportunity to make summary remarks, rebuttal and/or final comments.
7. **Closing of Public Hearing.** Upon completion of remarks, rebuttal, or final comment by applicant or his/her representative, and final comments/questions of the Commissioners, the Chairman* will close the Public Hearing. (No further input from applicant or his/her representative(s), opponents, or other individuals.)
8. **Action.** Action will be taken on the rezoning application.

*Or the Commissioner presiding over the hearing should the Chairman not be available.

ZONING STANDARDS

[From Harris County Zoning Ordinance, Article X, Section 1(g)]

Whenever this county shall exercise its zoning power, the following standards are considered relevant in balancing the county's interest in promoting the public health, safety, morality, or general welfare against the right to the unrestricted use of property:

- (a) Whether the zoning decision will permit a use that is suitable in view of the use and development of adjacent or nearby property;
- (b) Whether the zoning decision will adversely affect the existing use of adjacent or nearby property;
- (c) Whether the property affected by the zoning decision has a reasonable economic use as currently zoned;
- (d) Whether the zoning decision will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools;
- (e) Whether the zoning decision conforms with the policy and intent of an adopted land use plan; and
- (f) Whether other conditions exist that affect the use and development of the property in question and support either approval or denial of the zoning decision.

**BOARD OF COMMISSIONERS CONFLICT OF INTEREST
ZONING DISCLOSURE FORM**

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I. List of Zoning Applications to be presented to the Commissioners on **OCTOBER 4, 2016.**

- A. Act on the Withdrawal Request of the application of Edgar Hughston to rezone 100.3 acres owned by Antebe, LLC, in Land Lot 128, Land District 18, Map 084, Parcel 047B, from A-1 (Agricultural & Forestry) to R-1 (Single Family Residential), present use recreation; proposed use residential home sites; property located on McKee Road, Ellerslie.

II. Disclosure Information:

Do you or a member of your family have a financial or property interest* in any of the above described properties which are subject to a rezoning application which will be presented to the Board of Commissioners?

A. If the answer is **NO**, please check here: _____

B. If the answer is **YES**, you must fill in the following information, and return this form to the County Attorney**.

1. Name of Applicant: _____

Nature of Interest: _____

2. Name of Applicant: _____

Nature of Interest: _____

(If more than 2, list additional on reverse side of this form.)

This 4th day of OCTOBER, 2016.

Member, Board of Commissioners

* The term "*financial interest*" means all direct ownership interest in the title, assets of capital stock of the business entity where such ownership interest is 10% or more. The term "*property interest*" means the direct or indirect ownership of real property and includes any percentage of ownership less than total ownership.

** According to O.C.G.A. 36-67A, the local government official who has an interest as defined above shall disqualify him/herself from voting on the rezoning application action and shall not take any other action on behalf of him/herself or any other person to influence action on the rezoning application.

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PUBLIC HEARING: REZONING APPLICATION
EDGAR HUGHSTON BUILDER, INC.

10/04/16

Following the Public Hearing being called to order, action is needed on the letter requesting the withdrawal of this rezoning application, which was received prior to the Planning Commission meeting scheduled for September 21. (That meeting was cancelled due to lack of a quorum, and John Taylor, County Attorney, said that the request can be decided on by the Board without a recommendation from the Planning Commission.)

Applicant: Edgar Hughston Builder, Inc.
Owner: Antebe, LLC
Rezone: 100.3 acres in Land Lot 128, Land District 18, Map 084, Parcel 047B
Location: McKee Road, Fortson
From: A-1 (General Agricultural/Forestry District)
To: R-1 (Single Family Residential)
Present Use: recreation
Proposed Use: residential home sites

Motion and vote needed regarding the letter of withdrawal.